

The opinion in support of the decision being  
entered today is not binding precedent of the Board.

Paper 42

Filed by: Interference Trial Section Merits Panel  
Box Interference  
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Filed:  
23 July 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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CESARE BUSETTI and TIZIANO CRIMELLA,

Junior Party,  
(Patent 5,788,987),

v.

FRANK JAO, PATRICK S.L. WONG, HOA T. HUYNH,  
KATHY McCHESNEY and PAMELA K. WAT,

Senior Party  
(Application 09/023,574).

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Patent Interference No. 104,611

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Before: SCHAFER, GARDNER-LANE and TIERNEY, Administrative Patent Judges.  
SCHAFER, Administrative Patent Judge.

**JUDGMENT PURSUANT TO 37 CFR § 1.662**

Junior party Busetti has filed a paper stating “[u]nder 37 CFR § 1.662(a) Busetti hereby  
abandons the contest to the count of this interference.” Paper 41.

Accordingly , it is

**ORDERED** that judgment on priority as to the subject matter of Count 1 (Paper 1, p.5), is awarded against the junior party, CESARE BUSETTI and TIZIANO CRIMELLA;

**FURTHER ORDERED** that junior party, CESARE BUSETTI and TIZIANO CRIMELLA, is not entitled to a patent containing claims 1-27 (corresponding to Count 1) of Patent 5,788,987;

**FURTHER ORDERED** that a copy of this judgment be made of record in the file of Patent 5,788,987 and in Application 09/023,574; and

**FURTHER ORDERED** that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

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RICHARD E. SCHAFER	)	
Administrative Patent Judge	)	
	)	
	)	
_____	)	BOARD OF PATENT
SALLY GARDNER-LANE	)	APPEALS AND
Administrative Patent Judge	)	INTERFERENCES
	)	
	)	
_____	)	
MICHAEL P. TIERNEY	)	
Administrative Patent Judge	)	

cc (via Fax):

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